

MONDAY, MARCH 2, 2015

EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Dr. Harry Davis, St. Paul Missionary Baptist Church, Memphis, TN.

Representative Parkinson led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 94

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Madam Speaker Harwell -- 94

EXCUSED

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Gilmore; business

PRESENT IN CHAMBER

Reps. Hardaway, Womick, Sparks and Spivey were recorded as being present in the Chamber.

COMMUNICATION
March 2, 2015

Rep. Jimmy Eldridge
208 War Memorial Building
Nashville, TN 37243

Re: West Tennessee River Basin Authority

Dear Rep. Eldridge:

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, § 64-1-1102 (a)(1)(D), I am appointing you, as a member of the majority party, to serve as a member of the West Tennessee River Basin Authority. Your term commences immediately and will expire on November 8, 2016.

I am forwarding a copy of this letter to the Commissioner of Environment and Conservation, Robert Martineau. Commissioner Martineau's staff will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Commissioner Robert Martineau – Department of Environment and Conservation
Lt. Gov. Ron Ramsey
Cody York, 8th Floor, Snodgrass Tower
Don R. Johnson, G-7 State Capitol Bldg.
Scott Gilmer
Connie Ridley
Joseph A. Barnes
Tammy Letzler

COMMUNICATION
March 2, 2015

Rep. Craig Fitzhugh
33 Legislative Plaza
Nashville, TN 37243

Re: West Tennessee River Basin Authority

Dear Rep. Fitzhugh:

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, § 64-1-1102(a)(1)(D), I am appointing you, as a member of the minority party, to serve as a member of the West Tennessee River Basin Authority. Your term commences immediately and will expire on November 8, 2016.

I am forwarding a copy of this letter to the Commissioner of Environment and Conservation, Robert Martineau. Commissioner Martineau's staff will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Commissioner Robert Martineau – Department of Environment and Conservation
Lt. Gov. Ron Ramsey
Cody York, 8th Floor, Snodgrass Tower
Don R. Johnson, G-7 State Capitol Bldg.
Scott Gilmer
Connie Ridley
Joseph A. Barnes
Tammy Letzler

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 65 Rep. Casada as prime sponsor.

House Joint Resolution No. 74 Reps. Powers and Matlock as prime sponsors.

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House Joint Resolution No. 92 Reps. Powers, Matlock and Van Huss as prime sponsors.

House Joint Resolution No. 94 Reps. Powers and Van Huss as prime sponsors.

House Joint Resolution No. 114 Rep. Lynn as prime sponsor.

House Joint Resolution No. 115 Reps. Lynn, M. White, Sparks, D. White, Williams, K. Brooks, Womick, Rogers, Holt, Harrison and Marsh as prime sponsors.

House Joint Resolution No. 116 Reps. Sparks, D. White, M. White, Lynn, Williams, K. Brooks, Womick and Rogers as prime sponsors.

House Joint Resolution No. 118 Rep. Holt as prime sponsor.

House Bill No. 721 Rep. Hardaway as prime sponsor.

House Bill No. 1195 Rep. Keisling as prime sponsor.

House Bill No. 1246 Reps. Powers, Matlock, Van Huss and Carter as prime sponsors.

House Bill No. 1338 Reps. Matlock and Kumar as prime sponsors.

House Bill No. 1372 Reps. Powers, Van Huss and Carter as prime sponsors.

REQUEST TO BE ADDED AS SPONSOR

The following member requested to add their name as sponsor as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after adoption of said resolution:

House Joint Resolution No. 110 Rep. Powers

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Eldridge was recognized in the Well to recognize Felix Cavaliere on the occasion of his fiftieth year as a recording artist, salute his talent as a performing artist and entertainer, and recognize his singular contributions to popular music.

RESOLUTION READ

The Clerk read House Joint Resolution No. 25, adopted January 17, 2015.

House Joint Resolution No. 25 -- Memorials, Recognition - Felix Cavaliere. by *Eldridge.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolutions listed were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 121** -- General Assembly, Confirmation of Appointment - Kelsey Cruze, State Textbook and Instructional Materials Quality Commission. by *Smith.

House Education Instruction & Programs Committee

***House Joint Resolution No. 122** -- General Assembly, Confirmation of Appointment - Cynthia Bryant, State Textbook and Instructional Materials Quality Commission. by *Shaw.

House Education Instruction & Programs Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for March 5, 2015:

House Resolution No. 15 -- Memorials, Professional Achievement - Dr. Jerry Rogers. by *Byrd.

House Resolution No. 16 -- Memorials, Sports - Hardin County High School girls bowling team state championship. by *Byrd.

House Resolution No. 17 -- Memorials, Congratulations - Glann and Craig Lee, 60th wedding anniversary. by *Byrd.

House Resolution No. 18 -- Memorials, Recognition - Cecil Farm, Tennessee Century Farm. by *Butt.

House Joint Resolution No. 123 -- Memorials, Professional Achievement - Danny Jones, Tennessee Press Association 50-Year Club. by *Halford.

House Joint Resolution No. 125 -- Memorials, Recognition - Andrew M. Williams, National Safety Council 2013 Defensive Driver Course Instructor of the Year. by *Jernigan, *Brooks K.

House Joint Resolution No. 127 -- Memorials, Recognition - Congressman Diane Black, Tennessee Federation of Republican Women. by *Terry, *Travis, *Carter, *Wirgau, *Brooks H, *White D, *Lynn.

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House Joint Resolution No. 128 -- Memorials, Recognition - Congressman Marsha Blackburn, Tennessee Federation of Republican Women. by *Terry, *Travis, *Carter, *Wirgau, *Brooks H, *White D, *Lynn.

House Joint Resolution No. 129 -- Memorials, Recognition - Helen H. "Tootie" Haskins, Tennessee Federation of Republican Women. by *Terry, *Travis, *Carter, *Wirgau, *Brooks H, *White D, *Lynn.

House Joint Resolution No. 130 -- Memorials, Recognition - Kappa Alpha Order, Zeta Tau chapter, George C. Marshall Award. by *Pitts, *Johnson, *Reedy.

House Joint Resolution No. 131 -- Memorials, Recognition - Christopher Lancaster, Governor's Volunteer Stars Award. by *Pitts, *Johnson, *Reedy.

House Joint Resolution No. 132 -- Memorials, Recognition - Debbie Paré, recipient of Governor's Volunteer Stars Award. by *Lynn.

House Joint Resolution No. 133 -- Memorials, Death - Henry Abbott Callaway Jr., M.D. by *Ramsey, *Swann.

House Joint Resolution No. 134 -- Memorials, Recognition - Allies for Substance Abuse Prevention of Anderson County. by *Ragan.

House Joint Resolution No. 135 -- Memorials, Recognition - Commemorates "Self-Care Month.". by *Brooks K.

RESOLUTIONS LYING OVER

On motion, the resolutions listed were referred to the appropriate Committee:

Senate Joint Resolution No. 96 -- Holidays and Days of Special Observance - Urges observance of "Firefighters' Memorial Day" October 9, 2015, and "Volunteer Firefighters Week" March 1-7, 2015.. by *McNally, *Bell, *Bailey, *Beavers, *Bowling, *Briggs, *Crowe, *Dickerson, *Gardenhire, *Green, *Gresham, *Haile, *Harper, *Harris, *Hensley, *Jackson, *Johnson, *Kelsey, *Ketron, *Kyle, *Massey, *Niceley, *Norris, *Overbey, *Roberts, *Southerland, *Stevens, *Tate, *Tracy, *Watson, *Yager, *Yarbro, *Ramsey.

House State Government Committee

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 87** -- Education - As introduced, changes references in the code from vocational education to career and technical education; changes references in the code from the board for vocational education to the board for career and technical education. - Amends TCA Section 37-2-417; Title 49, Chapter 1; Title 49, Chapter 11; Title 49, Chapter 12; Title 49,

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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Chapter 3; Title 49, Chapter 5; Title 49, Chapter 50; Title 49, Chapter 6 and Section 62-4-122. by *Norris, *Jackson, *Bowling, *Yager, *Yarbro, *Haile, *Harper. (HB77 by *McCormick, *Brooks K)

Senate Bill No. 157 -- Physicians and Surgeons - As introduced, deletes the Intractable Pain Act. - Amends TCA Title 39; Title 53; Title 63 and Title 68. by *Bowling, *McNally, *Yager, *Watson, *Jackson, *Bailey, *Haile, *Kyle. (*HB31 by *Williams, *Kumar)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1373 -- Bradley County -- House Local Government Committee

***House Bill No. 1374** -- Appropriations -- House Finance, Ways & Means Committee

***House Bill No. 1375** -- Bond Issues -- House Finance, Ways & Means Committee

***House Bill No. 1376** -- Public Funds and Financing -- House Finance, Ways & Means Committee

House Bill No. 1377 -- Anderson County -- House Local Government Committee

House Bill No. 1379 -- Cheatham County -- House Local Government Committee

House Bill No. 1380 -- Lewis County -- House Local Government Committee

DELAYED BILLS REFERRED

March 2, 2015

Pursuant to **Rule No. 77**, House Joint Resolutions Nos. 124 and 136 was referred to the Delayed Bills Committee.

House Joint Resolution No. 124 -- Naming and Designating - Designates March 2015 as UT/TSU Extension Month in Tennessee. by *Halford.

House Joint Resolution No. 136 -- General Assembly, Statement of Intent or Position - Commending Taiwan. by *Rogers.

CONSENT CALENDAR

House Resolution No. 12 -- Memorials, Death - Glenda West Francis. by *Byrd.

House Resolution No. 13 -- Memorials, Personal Occasion - William McKinley Tipton Jr., 90th birthday. by *Matlock, *Calfee.

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House Joint Resolution No. 112 -- Memorials, Retirement - Jim Shipley, Cookeville City Manager. by *Williams, *Sexton C.

House Joint Resolution No. 114 -- Memorials, Recognition - Commemorates Chronic Obstructive Pulmonary Disease Awareness Month in Tennessee. by *Littleton.

House Joint Resolution No. 115 -- Memorials, Recognition - Speaker of the House Beth Harwell, Tennessee Federation of Republican Women. by *Terry, *Littleton, *Kane, *Wilburn, *Sanderson, *Ramsey, *Carr, *Gravitt, *Keisling, *Brooks H, *Byrd, *Howell, *Farmer, *McManus, *Lundberg, *Hazlewood, *Eldridge, *Weaver, *Reedy, *Johnson, *Alexander, *Matheny, *Faison.

House Joint Resolution No. 116 -- Memorials, Recognition - First Lady Crissy Haslam. by *Terry, *Littleton, *Kane, *Wilburn, *Ramsey, *Sanderson, *Carr, *Gravitt, *Keisling, *Brooks H, *Byrd, *Howell, *Farmer, *McManus, *Lundberg, *Hazlewood, *Eldridge, *Weaver, *Reedy, *Johnson, *Alexander, *Matheny, *Faison.

House Joint Resolution No. 117 -- Memorials, Recognition - Celebrate March 2015 as "Certified Government Financial Manager Month" in Tennessee. by *Ragan.

House Joint Resolution No. 118 -- Memorials, Professional Achievement - Shirley Nanney, Tennessee Press Association 50-Year Club. by *Halford.

House Joint Resolution No. 119 -- Memorials, Death - Garner "Mack" Goode Jr. by *Fitzhugh.

House Joint Resolution No. 120 -- Memorials, Retirement - Larry Dale. by *Durham, *Sargent, *Casada.

Senate Joint Resolution No. 98 -- Memorials, Recognition - Victor K. Miller, "Soliloquy.". by *McNally.

Senate Joint Resolution No. 99 -- Memorials, Recognition - Sigma Phi Epsilon, 60th anniversary of chartering at East Tennessee State University. by *Ramsey, *Crowe, *Southerland.

Senate Joint Resolution No. 100 -- Memorials, Recognition - University School of Nashville, 100th anniversary. by *Dickerson, *Haile, *Harper, *Yarbro, *Crowe, *Niceley.

Senate Joint Resolution No. 127 -- Memorials, Recognition - Celebrating "National Engineers Week," February 22–28, 2015. by *McNally.

Rep. Terry moved that all members voting aye on House Joint Resolutions Nos. 115 and 116 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Pody and Ragan.

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Rep. Powell moved that all members of the Davidson County delegation voting aye on Senate Joint Resolution No. 100 be added as co-prime sponsors, which motion prevailed.

Rep. Fitzhugh moved that all members voting aye on House Joint Resolution No. 119 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Pody and Ragan.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Bills Nos. 995, 160, 89, 934, 481, 1033, 544 and 173** to be heard in the Civil Justice Subcommittee this week, which motion prevailed.

RULES SUSPENDED

Rep. Sargent moved that the rules be suspended for the purpose of introducing House Resolution No. 19 out of order, which motion prevailed.

House Resolution No. 19 -- Lottery, Charitable - Approves 2015-2016 501(c)(3) annual events by the house of representatives. by *Sargent.

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On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Sargent moved adoption of **House Resolution No. 19**, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Sparks, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Williams, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Sparks, **House Bill No. 59** was recalled from the Business and Utilities Committee and withdrawn from the House.

On motion of Rep. Sparks, **House Bill No. 1293** was recalled from the Business and Utilities Committee and withdrawn from the House.

RULES SUSPENDED

Rep. McCormick moved that the rules be suspended in order to allow **House Joint Resolutions Nos. 105, 107, 113, 121, 122** and **Senate Joint Resolution No. 45** to be heard in the Education Instruction and Programs Committee this week, which motion prevailed.

CLERK'S NOTE TO THE JOURNAL

Pursuant to **Rule No. 20**, Rep. Turner was excused from Session on Monday, March 2, 2015.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 68 Rep. H. Brooks as prime sponsor.

House Bill No. 3 Rep. Kumar as prime sponsor.

House Bill No. 40 Rep. Rogers as prime sponsor.

House Bill No. 41 Rep. Rogers as prime sponsor.

House Bill No. 123 Rep. Rogers as prime sponsor.

House Bill No. 143 Reps. Rogers, Holt, Carter and Lynn as prime sponsors.

House Bill No. 203 Rep. Lamberth as prime sponsor.

House Bill No. 214 Rep. Todd as prime sponsor.

House Bill No. 225 Reps. Shepard, Byrd, Butt, Eldridge and Matheny as prime sponsors.

House Bill No. 400 Rep. Love as prime sponsor.

House Bill No. 429 Rep. Terry as prime sponsor.

House Bill No. 430 Rep. Terry as prime sponsor.

House Bill No. 431 Rep. Terry as prime sponsor.

House Bill No. 445 Reps. M. White, Mitchell and Stewart as prime sponsors.

House Bill No. 537 Rep. Carter as prime sponsor.

House Bill No. 577 Reps. Cooper, Fitzhugh, Armstrong, Miller and Camper as prime sponsors.

House Bill No. 646 Rep. M. White as prime sponsor.

House Bill No. 698 Reps. Williams and C. Sexton as prime sponsors.

House Bill No. 793 Rep. Fitzhugh as prime sponsor.

House Bill No. 800 Rep. Rogers as prime sponsor.

House Bill No. 813 Rep. Terry as prime sponsor.

House Bill No. 817 Reps. Hardaway, Miller, Favors, Fitzhugh and Shepard as prime sponsors.

House Bill No. 818 Reps. Hardaway, Favors, Fitzhugh and Shepard as prime sponsors.

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House Bill No. 819 Reps. M. Hill, T. Hill, Durham, Ragan and McDaniel as prime sponsors.

House Bill No. 894 Rep. Clemmons as prime sponsor.

House Bill No. 980 Rep. Terry as prime sponsor.

House Bill No. 985 Rep. Casada as prime sponsor.

House Bill No. 994 Reps. Carter, Harrison, Lollar, Hulsey, Goins, Ramsey, Lundberg, Casada, Coley, Johnson, McManus, Sanderson and Haynes as prime sponsors.

House Bill No. 1025 Rep. Jernigan as prime sponsor.

House Bill No. 1049 Reps. Sargent, DeBerry, Kumar and Moody as prime sponsors.

House Bill No. 1149 Rep. Lamberth as prime sponsor.

House Bill No. 1240 Reps. Hardaway, Akbari, Miller, Favors, Mitchell, Fitzhugh, Love, Shepard and Beck as prime sponsors.

House Bill No. 1241 Reps. Hardaway, Miller, Favors, Mitchell, Jones, Fitzhugh, Love and Shepard as prime sponsors.

House Bill No. 1246 Rep. Goins as prime sponsor.

House Bill No. 1303 Rep. Pitts as prime sponsor.

SPONSORS REMOVED

On motion, Rep. Pitts was removed as sponsor of **House Bill No. 125**.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were Akbari, Alexander, Armstrong, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Daniel, DeBerry, Doss, Dunlap, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Goins, Gravitt, Halford, Hardaway, Harrison, Hawk, Haynes, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Shepard, Smith, Spivey, Stewart, Swann, Terry, Todd, Towns, Travis, Van Huss, Weaver, White D., White M., Wilburn, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

RECESS

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Thursday, March 5, 2015.